



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/544,290	04/27/2006	Yuuji Takimoto	SONY JP 3.3-359	8674

530 7590 12/12/2007  
LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK  
600 SOUTH AVENUE WEST  
WESTFIELD, NJ 07090

EXAMINER
----------

ZAHR, ASHRAF A

ART UNIT	PAPER NUMBER
----------	--------------

2179

MAIL DATE	DELIVERY MODE
-----------	---------------

12/12/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/544,290	<b>Applicant(s)</b> TAKIMOTO ET AL.	
	<b>Examiner</b> Ashraf Zahr	<b>Art Unit</b> 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-2, 4-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                                                         |                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                             | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/4/2005, 4/27/2006, 4/19/2007</u> . | 6) <input type="checkbox"/> Other: _____                                                |

## DETAILED ACTION

1. Claims 1-2, 4-9 are pending in this application. Claims 1 and 7-9 are Independent Claims.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-2, 4-9 are rejected under 35 U.S.C. 102(a) as being anticipated by Microsoft Windows Media Player 9, (c) 2002 (Hereinafter, WMP).

**Regarding Claim 1**, WMP discloses, “an information processing apparatus for searching for predetermined content and controlling an output of the content, comprising: display control means that displays a selection screen for the content in which metadata as data affixed to the content is disposed”. Specifically, Windows Media Player consists of several areas. Some areas contain controls that you can use to perform an action, such as playing a CD or adjusting graphic-equalizer levels. Other areas display videos, visualizations, or information, such as details about the music you are listening to (WMP, pg 4).

WMP also discloses, "said selection screen having at least a first area in which metadata for designating an information acquisition range is arranged". Specifically, Links to content in Media Library are automatically grouped into categories such as All Music, All Video, Radio, and Premium Services. Content within the categories is further subdivided into artist, genre, favorites, and other such categories (WMP, pg 70, ¶11).

WMP also discloses, "a second area for displaying both metadata used as a search criterion and a search result". Specifically, the content is grouped and listed in the different categories based on the media information about the content. Media information, which is also known as metadata or tags, includes information such as the title of the song or video, the artist name, the rating, the play count, the composer, and so forth (WMP, pg 70, ¶12). WMP also discloses the "Contents" pane (WMP, pg 70, ¶13).

WMP also discloses, "a third area for designating a display order of a list of search results, the search results being displayed in accordance with the display order designated in the third area and the content being selected in the second area". Specifically, in the Details pane, content is sorted by the Album Artist column (which is not displayed by default), then the Album column, and then the Track column (which not displayed by default). Even if you sort the content by another column, the Album Artist, Album, and Track columns are used to further sort the content (WMP, pg 70, ¶14; pg 71). The headings of the columns which sort the content are separate from the details pane.

WMP also discloses, "acquiring means that, when one of the metadata is selected as the search criterion in the second area of said selection screen, and particular metadata is selected in the first area of said selection screen for designating

the information acquisition range, acquires information on other content having the same metadata as the search criterion metadata in the designated information acquisition range". Specifically, content is listed in the details pane (WMP, pg 70, ¶4; pg 72).

WMP also discloses, "output means that outputs the other content in response to an instruction to output the other content selected in the second area of said selection screen". Specifically, WMP can play a selected item (WMP, pg 6)

**Regarding Claim 2**, WMP also discloses, "the information processing apparatus according to claim 1, further comprising: storing means that stores the metadata selected from said selection screen, wherein, when said information processing apparatus is activated, said acquiring means acquires information on the other content having the same metadata as the metadata stored in said storing means". Specifically, one can save the search results or a playlist of the content found (WMP, pg 72).

**Regarding Claim 4**, WMP also discloses, "the information processing apparatus according to claim 1, further comprising: detecting means for detecting a selection of the metadata in response to the movement of a cursor displayed on said selection screen". Specifically, WMP uses a pointer to point and click to functions (WMP, pg 6).

**Regarding Claim 5**, WMP also discloses, "the information processing apparatus according to claim 1, wherein said acquiring means acquires information on the other

content from an information managing apparatus connected to said information processing apparatus via a network". Specifically, WMP can acquire information on other music purchased over the internet and add it to the media player (WMP, pg 67).

**Regarding Claim 6**, WMP also discloses, "the information processing apparatus according to claim 5, wherein when said information processing apparatus is activated, said acquiring means acquires information on the other content having the same metadata as metadata recorded in storing means of said information managing apparatus. Specifically, WMP can automatically add files that you play on your computer from the internet (WMP, pg 67).

**Regarding Claim 7**, applicant claims a method performing a substantially similar function to the apparatus claimed in Claim 1. This claim is substantially similar to Claim 1 and is therefore rejected based upon the same reasoning used to reject claim 1.

**Regarding Claim 8**, applicant claims a recording medium to perform method of the apparatus in Claim 1. This claim is substantially similar to Claim 1 and is therefore rejected based upon the same reasoning used to reject claim 1.

**Regarding Claim 9** applicant claims an apparatus substantially similar to the apparatus in Claim 1. This claim is substantially similar to Claim 1 and is therefore rejected based upon the same reasoning used to reject claim 1.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashraf Zahr whose telephone number is 571-270-1973. The examiner can normally be reached on M-F 9:30 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AAZ  
12/7/07

BA HUYNH  
PRIMARY EXAMINER